

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
WACO DIVISION

DEVAN POOL,

Plaintiff,

v.

280TH DISTRICT COURT HARRIS
COUNTY,

Defendant.

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CIVIL NO. W-23-CV-00447-ADA

ORDER DENYING PLAINTIFF’S MOTION TO PROCEED IN FORMA PAUPERIS

Before the Court is Plaintiff’s Motion to Proceed In Forma Pauperis (ECF No. 2). For the following reasons, the Court **DENIES** Plaintiff’s Motion to Proceed In Forma Pauperis

I. DISCUSSION

Plaintiff filed an application for *in forma pauperis* (“IFP”) status and lists “N/A” in response to all of the questions on the questionnaire. *See* ECF No. 2. Courts may grant IFP status only if a plaintiff submits an affidavit, including a statement of all their assets, showing the inability to pay the statutory filing fee. *See* 28 U.S.C. § 1915(a). The Court finds that Plaintiff’s incomplete application is insufficient to apprise the Court of Plaintiff’s financial situation. *See e.g. Kelly v. Intuit*, 323CV00694JAHJLB, 2023 WL 4220768, at *1 (S.D. Cal. June 27, 2023) (“Plaintiff submits an incomplete affidavit in which all fields related to assets and expenses and identifying the city and state of their legal residence are blank. Without a complete affidavit, the Court is unable to determine Plaintiff’s ability or inability to pay the statutory filling fee.”) Because Plaintiff fails the foundational step of providing an accurate affidavit as required under the statute, the Court is unable to determine whether Plaintiff even qualifies for IFP status. Accord-

ingly, the Court **DENIES** Plaintiff's Motion to Proceed IFP. Plaintiff is thus **ORDERED** to pay any filing fees and effect service.

SIGNED this 20th day of July, 2023.

A handwritten signature in black ink, appearing to read "Derek T. Gilliland", is written over a horizontal line.

DEREK T. GILLILAND
UNITED STATES MAGISTRATE JUDGE